



Department of Energy

Idaho Operations Office
850 Energy Drive
Idaho Falls, Idaho 83401-1563

October 23, 2002

Mr. Dean J. Nygard, Remediation Program Manager
Waste Management and Remediation Division
Idaho Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706-1255

SUBJECT: INEEL – Implementation and Maintenance of Site-wide Institutional Controls as Discussed in the "Record of Decision for the Experimental Breeder Reactor-I/Boiling Water Reactor Experiment Area and Miscellaneous Sites (DOE/ID-10980, September 2002)" (EM-ER-02-181)

REFERENCE: Letter, D. Nygard to K. Hain, dated October 10, 2002

Dear Mr. Nygard:

In the referenced letter you asked:

- (1) How institutional controls will be implemented in light of DOE plans to transfer the site from Environmental Management to Nuclear Energy?
- (2) Which DOE program will be responsible for ensuring these institutional controls are maintained and how will this transition take place?

This letter provides the following DOE responses to your questions, respectively:

- (1) Institutional controls will be implemented in the same manner regardless of:
 - (A) Which DOE Program Secretarial Office (PSO) is designated as Lead Program Secretarial Office (LPSO) for the INEEL, and
 - (B) When any changes in the designated LPSO may take place.
- (2) Regardless of which DOE PSO is designated as the Lead for INEEL, the DOE Idaho Operations Office is responsible for ensuring (by working through the LPSO and PSOs as applicable) that institutional controls remain properly implemented and maintained. This includes all aspects of institutional controls (e.g., records management, funding, maintenance, inspections, land use planning and management).

In summary, DOE will ensure that proper institutional controls are implemented and maintained regardless of which PSOs and LPSOs may be responsible for the INEEL and its operations at any particular time.

Nygard
October 23, 2002

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If you have any questions concerning this submittal, please call either Glenn Nelson at (208) 526-0077 or me at (208) 526-4392.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen E. Hain".

Kathleen Hain, Lead
Environmental Restoration Program

cc: W. Pierre, EPA, Region 10, (M/S ECL-113)